

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

CONTENT & COMMERCE, INC., and)	
KEVIN DETRUDE,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
DONNA CHANDLER,)	
SHOW COLORS, INC., and)	Case No.: 1:20-CV-2488-JMS-DLP
MY K9 BEHAVES, LLC)	
)	
Defendants.)	
_____)	
)	
SHOW COLORS, INC., DONNA)	
CHANDLER, and MY K9 BEHAVES,)	
LLC,)	
)	
Consolidated Plaintiffs,)	
)	
vs.)	
)	
KENETH ZWEIGEL, CONTENT &)	
COMMERCE, INC., KEVIN DETRUDE,)	
and MY K9 BEHAVES, INC.,)	
)	
Consolidated Defendants.)	

ORDER GRANTING TEMPORARY RESTRAINING ORDER

This Motion is before the Court, the Honorable Magistrate Judge Doris Pryor presiding, and the Motion having been duly heard and a decision having been duly rendered the Court sets forth the following facts:

Defendants/Consolidated Plaintiffs Show Colors, Inc., Donna Chandler, and Derivative Defendant/Consolidated Plaintiff/Consolidated Defendant My K9 Behaves, LLC (collectively referred to herein as “Defendants/Consolidated Plaintiffs”), by counsel, having moved for a temporary restraining order against Plaintiffs/Consolidated Defendants, Kenneth Zweigel, Content & Commerce, Inc., Kenneth DeTrude, and Derivative Consolidated Defendant My K9 Behaves, LLC (“Plaintiffs/Consolidated Defendants”) pursuant to F.R.C.P. 65(b) with notice to Plaintiffs/Consolidated Defendants, and with Defendants/Consolidated Plaintiffs having certified in writing their efforts for notice, and this cause having come to be heard on Defendants’/Consolidated Plaintiffs’ Motion for Temporary Restraining Order, and the statements and papers filed by Defendants’/Consolidated Plaintiffs’ counsel, and with counsel for Defendants/Consolidated Plaintiffs and Plaintiffs/Consolidated Defendants having been heard at a Hearing before the Court, the Court hereby finds, pursuant to F.R.C.P. 52(c), that Defendants/Consolidated Plaintiffs have established, by a preponderance of evidence: (1) a likelihood of success on the merits; (2) an immediate and irreparable injury; (3) that greater harm would result to Defendants/Consolidated Plaintiffs from the denial of injunctive relief than to Defendant were the injunctive relief properly granted; and (4) the public interest would be better served by issuing injunctive relief, and that Defendants/Consolidated Plaintiffs will be irreparably injured unless Defendant is temporarily restrained.

Therefore, it is **ORDERED** that:

1. Plaintiffs/Consolidated Defendants have received service of process of the instant action.
2. Without waiver of their rights, Plaintiffs/Consolidated Defendants shall cease and desist from any and all commercial use of the name, image, and likeness of Plaintiff Donna

Chandler, including, but not limited to the distribution and sale of the Video marketed by My K9 Behaves, LLC on the teachable.com platforms and other means of distribution.

3. Without waiver of their rights, Plaintiffs/Consolidated Defendants shall return to Defendant/Consolidated Plaintiff Donna Chandler her Copyrights and Trademark, and all other intellectual property, including the IT associated with the Video, personal to Donna Chandler and in the possession of My K9 Behaves, LLC.

4. Without waiver of their rights, Plaintiffs/Consolidated Defendants shall cease and desist from any and all contact or communication with Plaintiff Chandler, other than through counsel.

5. Without waiver of their rights, Plaintiffs/Consolidated Defendants shall cease and desist from any and all contact and communication with Ignite Veterinary Solutions.

6. Without waiver of their rights, Plaintiffs/Consolidated Defendants shall cease and desist from any and all contact or communication with Richard Hunt and Half Nelson Enterprises, or any of Richard Hunt's related business entities.

7. Without waiver of their rights, Plaintiffs/Consolidated Defendants shall cease and desist from any and all contact or communication with any of Plaintiff Chandler's business relationships with the Amish community (in Indiana and elsewhere).

8. Without waiver of their rights, Plaintiffs/Consolidated Defendants shall cease and desist from any and all interference with Chandler's accreditations and certifications with the American Association of Veterinary Boards and its Registry of Approved Continuing Education.

9. Without waiver of their rights, Plaintiffs/Consolidated Defendants cease any further activity with the teachable.com account containing the Video with Plaintiff Chandler's name, image, and likeness.

10. Without waiver of their rights, Plaintiffs/Consolidated Defendants shall cease any further activity with any bank, Quick Books, PayPal and other depository accounts owned by My K9 Behaves, LLC and provide a full accounting of same from account opening through the date of closure.

11. Without waiver of their rights, Plaintiffs/Consolidated Defendants shall cease and desist from any further operation of My K9 Behaves, LLC.

12. Defendants/Consolidated Plaintiffs and Plaintiffs/Consolidated Defendants are ordered to cooperate in the winding up of the affairs of My K9 Behaves LLC in accordance with the terms of the Operating Agreement and Indiana law; and the Company, My K9 Behaves is hereby judicially dissolved. Defendants/Consolidated Plaintiffs will submit a proposed Order to the Court Dissolving my K9 Behaves in form and substance acceptable for filing with the office of the Indiana Secretary of State.

13. This Temporary Restraining Order shall remain in effect until such time as the Court may hear Defendants/Consolidated Plaintiffs Motion for Permanent Injunction, as filed herein and at that time shall expire, unless extended for a period not to exceed ten (10) days or such time necessary to accommodate the Court's hearing on the Permanent Injunction, unless Defendants/Consolidated Plaintiffs and Plaintiffs/Consolidated Defendants shall mutually consent that the Temporary Restraining Order may be extended for a longer period.

14. If the dispute is not amicably resolved, the parties will appear before the Court for a preliminary injunction hearing on _____, 2021 at _____ a.m./p.m., pursuant to Indiana Trial Rule 65(B).

15. In accordance with F.R.C.P. 65 (b), the Court waives any bond, in light of the Motion's demonstration.

16. In accordance with F.R.C.P. 65, this Order shall be binding upon Plaintiffs/Consolidated Defendants, their officers, agents, servants, employees, and attorneys, and upon those persons in active concert or participation with them who receive notice of the order.

17. This Order shall be enforced through the Court's contempt power and willful disobedience of this Order will be considered in direct contempt of Court.

18. Any person eighteen (18) years of age or older, and not a party to this suit, may serve this Temporary Restraining Order on Plaintiffs/Consolidated Defendants.

Dated:

Hon. Jane Magnus-Stinson, Chief Judge
United States District Court
Southern District of Indiana

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